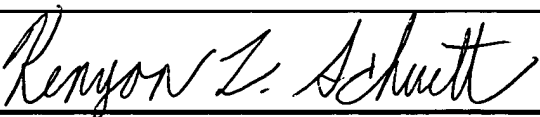


REMARKS

Claim 1 has been amended. This amendment has been made to place the claims in better form for examination and to further obviate the 35 U.S.C. §102(b) rejection as set forth in the Office Action dated January 19, 2006. It is believed that this amendment does not constitute new matter.

The Examiner has rejected claims 1-5 under U.S.C. 102(b) as being anticipated by Spinazzola (Quality Deer Management Assoc.). Applicant has amended Claim 1 to include the term "premixed". Applicant draws the Examiner's attention to page 6, line 22, of the Specification for support of this term. Applicant respectfully asserts that the Spinazzola reference does not disclose using premixed herbicide resistant seeds in a food plot. Withdrawal of this 35 U.S.C § 102(b) rejection is respectfully requested.

In view of the above amendments and remarks, it is submitted that the claims satisfy the provisions of 35 U.S.C. §102. Reconsideration of this application and early notice of allowance is requested.

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|--|---|-----------|--------------|--------------|--------------|
| SIGNATURE OF APPLICANT, ATTORNEY OR AGENT REQUIRED | | | | | |
| NAME AND REG. NUMBER | Kenyon L. Schuett, Reg. No. 44,324 | | | | |
| SIGNATURE |  | | DATE | May 18, 2006 | |
| Address | Jondle & Associates P.C. 858 Happy Canyon Road, Suite 230 | | | | |
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